

1 City and that Circuit City has no ability or obligation to secure his presence at a
2 deposition.

3 2. The parties will cooperate in securing the first available dates during January 2006 for the
4 depositions referenced herein. Defendant's counsel has provided plaintiff's counsel with
5 the last known contact information (address and phone number) for former Circuit City
6 employee Nick Lyles.

7 3. Plaintiff and defendant stipulate that no further non-expert discovery will occur beyond
8 that described in this stipulation, unless the parties agree to such discovery, or the court
9 orders a further extension for written discovery.

10 So Stipulated.

11
12 Dated: December 19, 2005

/s/ANTHONY P. O'BRIEN

ANTHONY P. O'BRIEN

Attorney for Plaintiff Joseph Cocchi

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15
16 Dated: December 19, 2005

/s/REX DARRELL BERRY

REX DARRELL BERRY

Attorney for Defendant Circuit City Stores, Inc.

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18 So Ordered.

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20 Dated: Jan. 3, 2006


UNITED STATES MAGISTRATE JUDGE